

REMARKS

The Communication mailed January 5, 2005 deemed the Amendment filed September 20, 2004 to be non-responsive because the amended claims allegedly were directed to non-elected subject matter. Without conceding the propriety of the Examiner's assertion, and solely to expedite prosecution, this Substitute Amendment is being filed to address the Examiner's concerns.

By this Substitute Amendment, claims 11-24 are now pending with claims 11 and 21 being independent. Claims 11-17 have been amended and claims 18-24 are newly presented for consideration. All claims 11-24 are consistent with, and correspond to, the originally presented and examined subject matter. In particular, independent claim 11 is directed to a computer network-based method for facilitating commerce at a remote topically arranged internet-based auction system. Similarly, independent claim 21 is directed to a computer network based-system operative facilitate commerce at an internet-based auction.

Applicant submits that independent claims 11 and 21 are allowable over the art of record. In particular, the references applied in the final office action mailed May 18, 2004 (EASE, Agricultural, Livestock), regardless of how they are hypothetically combined, fail to disclose or suggest the combination of features recited either in claim 11 or claim 21.

The remaining claims each depends directly or indirectly from one of independent claims 11 and 21. Accordingly, dependent claims 12-20 and 22-24 are allowable for the reasons that their respective independent claims are allowable and for reciting allowable subject matter in their own right. Independent consideration and allowance of the dependent claims are requested.

It is believed that all of the pending issues have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

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Page : 10 of 10

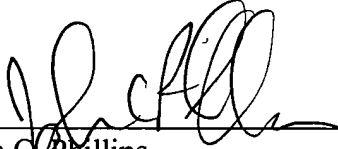
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Respectfully submitted,

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7/5/05



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